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**UNITED STATES DISTRICT COURT****EASTERN DISTRICT OF TEXAS**

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MELVIN L. MOBLEY, III,

Plaintiff,

*versus*YESSICA MEDINA MARTINEZ, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:17-CV-378

**MEMORANDUM ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Melvin L. Mobley, III, a prisoner previously confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against Yessica Medina Martinez, Maxwell Vine, Jherick M. Cambell, and James Cortes.

The court ordered that this matter be referred to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends denying plaintiff's fifth motion for default judgment.

The court has received and considered the Reports and Recommendations of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

## ORDER

Accordingly, plaintiff's objections (#116) are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge (#115) is **ADOPTED**. Plaintiff's fifth motion for default judgment (#112) is **DENIED**.

SIGNED at Beaumont, Texas, this 23rd day of March, 2020.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE